



PUBLIC NOTICE

Federal Communications Commission
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DA 10-6

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WIRELESS TELECOMMUNICATIONS BUREAU SEEKS COMMENT ON REQUEST BY SHIPCOM, LLC FOR WAIVER OF PART 80 RULES TO ALLOW USE OF HIGH SEAS MARINE FREQUENCIES BY FIRST RESPONDERS DURING CATASTROPHES

WT Docket No. 10-2

Comment Date: February 4, 2010

Reply Date: February 19, 2010

On November 6, 2009 (supplemented November 10, 2009), ShipCom, LLC (ShipCom) filed a request for waiver of Section 80.123 of the Commission's Rules¹ to permit the use of high frequency (HF) public coast frequencies by first responders during catastrophic situations when normal communications systems are not available. ShipCom is the licensee of high seas public coast stations WLO, Mobile, Alabama; WCL, Mobile, Alabama; KLB, Silvana, Washington; and KNN, Marina del Ray, California. It maintains a continuous watch on certain HF voice and data frequencies. ShipCom states that it has received requests from public safety entities to provide an emergency watchkeeping service on HF frequencies that would enable these agencies to make contact with the "outside world" in the event of a natural or man-made disaster that renders the normal communications infrastructure inoperable.

Section 80.123 permits very high frequency public coast stations to provide service to units on land under certain conditions, but does not permit HF public coast stations to provide such service. Consequently, ShipCom requests a waiver to permit it to provide service to land-based (base and mobile) public safety stations on HF frequencies when normal communications systems are not available, and to permit monthly testing/training to familiarize personnel with how to operate the equipment and make sure it is operable. ShipCom proposes to notify the Commission of the public safety entities with which it makes arrangements for such service, and to comply with the conditions in Section 80.123 (including the requirement that priority be afforded to marine-originating communications), except for the limit in Section 80.123(e) on the antenna height of land units. We seek comment on the waiver request.

Procedural Matters

Comments on the request are due **no later than February 4, 2010**. Reply comments are due **no later than February 19, 2010**. All filings should reference the docket number of this proceeding, WT 10-2.

This proceeding has been designated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules.² Parties making oral *ex parte* presentations in this proceeding are reminded

¹ 47 C.F.R. § 80.123.

² See 47 C.F.R. §§ 1.1200(a), 1.1206.

that memoranda summarizing the presentation must contain the presentation's substance and not merely list the subjects discussed.³ More than a one- or two-sentence description of the views and arguments presented is generally required.⁴

Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. *See* Electronic Filing of Documents in Rulemaking Proceedings, 63 Fed. Reg. 24121 (1998). Comments filed through the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/cgb/ecfs/>. Generally, only one copy of an electronic submission must be filed. If multiple docket or rulemaking numbers appear in the caption of this proceeding, however, commenters must transmit one electronic copy of the comments to each docket or rulemaking number referenced in the caption. In completing the transmittal screen, commenters should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send an e-mail to ecfs@fcc.gov, and should include the following words in the body of the message, "get form." A sample form and directions will be sent in reply.

Parties who choose to file by paper must file an original and four copies of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, commenters must submit two additional copies for each additional docket or rulemaking number.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

-Effective December 28, 2009, all hand-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th St., S.W., Room TW-A325, Washington, DC 20554. All hand deliveries must be held together with rubber bands or fasteners. Envelopes must be disposed of before entering the building. The filing hours at this location are 8:00 a.m. to 7:00 p.m. **PLEASE NOTE:** The Commission's former filing location at 236 Massachusetts Ave., N.E. is permanently closed.

-Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.

-U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, S.W., Washington, DC 20554.

Parties shall send one copy of their comments and reply comments to Best Copy and Printing, Inc., Portals II, 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, (800) 378-3160, e-mail FCC@BCPIWEB.com.

The request, and comments and reply comments filed in response to this *Public Notice*, will be available for public inspection and copying during business hours in the FCC Reference Information Center, Portals II, 445 12th Street S.W., Room CY-A257, Washington, D.C. 20554, and via the Commission's Electronic Comment Filing System (ECFS) by entering the docket number, WT 10-2. They may also be purchased from Best Copy and Printing, Inc., telephone (800) 378-3160, facsimile (301) 816-0169, e-mail FCC@BCPIWEB.com.

³ *See* Commission Emphasizes the Public's Responsibilities in Permit-But-Disclose Proceedings, *Public Notice*, 15 FCC Rcd 19945 (2000).

⁴ *See* 47 C.F.R. § 1.1206(b)(2). Other rules pertaining to oral and written presentations are also set forth in Section 1.1206(b). *See* 47 C.F.R. § 1.1206(b).

Alternate formats of this *Public Notice* (computer diskette, large print, audio recording, and Braille) are available to persons with disabilities by contacting Brian Millin at (202) 418-7426 (voice), (202) 418-7365 (TTY), or send an e-mail to access@fcc.gov.

For further information, contact Mr. Jim Shaffer of the Wireless Telecommunications Bureau, Mobility Division, at (202) 418-0687, james.shaffer@fcc.gov.

Action by the Deputy Chief, Mobility Division, Wireless Telecommunications Bureau.

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